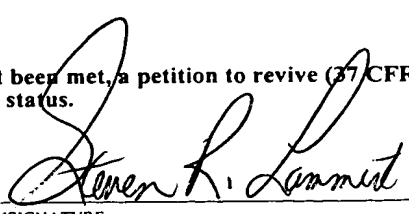


514 Rec'd PCT/PTO 03 MAR 2000

FORM PTO-1390 (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 3220-66107
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, use 37 U.S.C. 371.5) Unknown <b>097486904</b>
INTERNATIONAL APPLICATION NO. PCT/US98/18416	INTERNATIONAL FILING DATE 03 September 1998	PRIORITY DATE CLAIMED 05 September 1997	
TITLE OF INVENTION SELECTIVE EXPRESSION OF GENES IN PLANTS			
APPLICANT(S) FOR DO/EO/US SNYDER, John R.; HODGES, Thomas K.; LYZNIK, Leszek A.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> has been transmitted by the International Bureau.</p> <p>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>(2 counterpart documents: 2 sheets each)</b></p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>			
Items 11. to 16. below concern document(s) or information included:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:</p> <p>a. Copies of the PCT International Search Report and Each Reference Cited Therein</p> <p>b. Copy of the PCT International Preliminary Examination Report</p> <p>c. Copy of Sequence Listing as Forwarded to the ISA/EP</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
<b>Unknown</b>		<b>PCT/US98/18416</b>		<b>3220-66107</b>	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... \$970.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS     PTO USE ONLY</b>	
				\$	<b>840.00</b>
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	-0-
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	19 - 20 =	-0-	X \$18.00	\$	-0-
Independent claims	6 - 3 =	3	X \$78.00	\$	234.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$	-0-
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	<b>1074.00</b>
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	-0-
<b>SUBTOTAL =</b>				\$	<b>1074.00</b>
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	-0-
<b>TOTAL NATIONAL FEE =</b>				\$	<b>1074.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	-0-
<b>TOTAL FEES ENCLOSED =</b>				\$	<b>1074.00</b>
				Amount to be:	\$
				refunded	
				charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1074.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>10-0435</u>. A duplicate copy of this sheet is enclosed.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
SEND ALL CORRESPONDENCE TO:					
<b>LAMMERT, Steven R.</b> <b>BARNES &amp; THORNBURG</b> <b>11 South Meridian Street</b> <b>Indianapolis, IN 46204</b> <b>US</b>					
				 SIGNATURE:	
				<u>Steven R. Lammert</u> NAME	
				<u>27653</u> REGISTRATION NUMBER	

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney

Docket: 3220-66107

Applicant: SNYDER, John R.; HODGES,  
Thomas K.; LYZNIK, Leszek A.Invention: SELECTIVE EXPRESSION OF  
GENES IN PLANTS

U.S. Serial No: Unknown

International Serial No: PCT/US98/18416

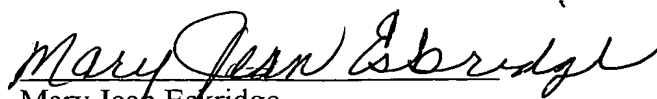
International Filing Date: 03 September 1998  
(03.09.98)Earliest Priority Date: 05 September 1997  
(05.09.97)CERTIFICATE UNDER 37 C.F.R. § 1.10Attention: DO/EO/US  
Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

"Express Mail" Mailing Label No.: EM466245265US

Date of Deposit: 03 March 2000 (03.03.00)

I hereby certify that this paper or fee is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Mary Jean Eskridge28042  
Indianapolis, Indiana  
(317) 231-7303